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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,509	06/23/2003	Yasuhito Watanabe	D-1511	8667
7590 07/27/2005			EXAMINER	
Hauptman Kanesaka Berner Patent Agents, LLP			MORRISON, THOMAS A	
1700 Diagonal Road			ART UNIT	
Suite 310			PAPER NUMBER	
Alexandria, VA 22314			3653	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/600,509

Applicant(s)

WATANABE ET AL.

Examiner

Thomas A. Morrison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 3 and 6 is/are allowed.
6) ☒ Claim(s) 1, 2, 4 and 10-12 is/are rejected.
7) ☒ Claim(s) 5 and 7-9 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 11 recites the limitation "said original transfer unit" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 10-11 and 12, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Hoshi et al. or Yamauchi et al.

A. According to a first interpretation of Hoshi et al. and Yamauchi et al., claims 1, 2, 4, 10 and 11 stand rejected as explained below.

Regarding independent claim 1, Figs. 1-3, 6 and 38-43 of both Hoshi et al. and Yamauchi et al. show an automatic document feeder (including 1 and 2) for transferring an original through a reading position (Fig. 39), comprising:

an apparatus frame (210) for the automatic document feeder (including 1 and 2);

first transport means (23) disposed at an upstream side of the reading position in an original transfer direction for transporting the original to the reading position (Fig. 39);

second transport means (near 12 in Fig. 39) disposed at a downstream side of the reading position in the original transfer direction for transporting the original passing through the reading position;

a curved reading path (Fig. 39) extending from the first transport means (23) to the second transport means (near 12 in Fig. 39);

a reading guide unit (Figs. 6 and 38) formed separately from the apparatus frame (210) and including as one unit (Fig. 38) a first guide member (213) for guiding the original from the first transport means (23) to the reading position (Fig. 39); a second guide member (39) for guiding the original passing through the reading position (Fig. 39) to the second transport means (near 12 in Fig. 39); and a transparent film member (28) formed of a flexible material (columns 23 and 24) for forming at least a part of the curved reading path between the first guide member (213) and the second guide member (39); and

support means formed on the apparatus frame (210) and the reading guide unit (Fig. 6) for detachably attaching the reading guide unit as one unit to the apparatus frame (210). More specifically, Fig. 1 shows that the frame (210) and reading guide unit (Fig. 6) can be attached together and Fig. 6 shows that the frame (210) is detachable from the reading guide unit (Fig. 6). As such, inherently there is support means formed on the frame (210) and the reading guide unit (Fig. 6) for detachably attaching the reading guide unit (Fig. 6) as one unit to the apparatus frame (210).

Regarding claim 2, Fig. 6 of Hoshi et al. and Yamauchi et al. show that the support means includes notched portions (i.e., one located above and to the left of

numeral 214 and one to the left of numeral 39 in Fig. 6) formed at the reading guide unit (Fig. 6), and the apparatus frame (210) includes pins (214, only one shown) for receiving the notched portions to rotationally hold the reading guide unit (Fig. 6). In particular, the element labeled "214" can be considered to be a pin that receives the notched portion. Moreover, the element labeled "214" is screwed (rotated) into the frame (210) to hold the reading guide unit. As such, it rotationally holds the reading guide unit (Fig. 6).

Regarding the dependent claim 4, Figs. 6 and 40 of Hoshi et al. and Yamauchi et al. show that the transparent film member (28) is arranged along a document guiding surface of the first guide member (213).

Regarding claim 10, Figs. 1-3, 6 and 38-43 of both Hoshi et al. and Yamauchi et al. show a document reading apparatus for reading an original, comprising

a reading unit (2) including a platen (40) for placing the original, and reading means (Fig. 39) situated under the platen (40). Also, column 4, lines 30-42 of Hoshi et al. and column 4, lines 9-21 of Yamauchi et al. state that an image reading means can read documents fed to it by an original feeding apparatus 1, and also original documents can be read by the reading means when such original documents are placed directly on a platen (40) by a user. As such, in order for the reading means to properly read an original document when it is being fed (i.e., an original document is moved) to the reading means, the reading means inherently remains stationary. On the other hand, when an original document is placed on the platen (40) by a user (i.e., when the original document is not moved), inherently the reading means must move in order

to read the entire document. Moreover, all of the elements of the automatic document feeder set forth in claim 1 are outlined above in the rejection of claim 1. Accordingly, Hoshi et al. and Yamauchi et al. both meet all of the limitations of claim 10.

Regarding claim 11, it is unclear from the language of this claim whether the recited frame is part of the original transfer unit or such frame is not part of the original transfer unit. If the frame is part of the original transfer unit, Figs. 1-2 and 6 of Hoshi et al. and Yamauchi et al. both show an original transfer unit (including 210) that includes a support shaft (214), and the reading guide unit (including 213, 28 and 39 of Fig. 6) with an engagement portion (located above and to the left of 214 in Fig. 6) for engaging the support shaft (214) so that the engagement portion is detachably attached to the support shaft (214).

B. According to a second interpretation of Hoshi et al. and Yamauchi et al., claims 1, 2, 4, 10 and 12 stand rejected as explained below.

Regarding independent claim 1, Figs. 1-3, 6 and 38-43 of both Hoshi et al. and Yamauchi et al. show an automatic document feeder (including 1 and 2) for transferring an original through a reading position (Fig. 39), comprising:

- an apparatus frame (210) for the automatic document feeder (including 1 and 2);
- first transport means (23) disposed at an upstream side of the reading position in an original transfer direction for transporting the original to the reading position (Fig. 39);
- second transport means (near 12 in Fig. 39) disposed at a downstream side of the reading position in the original transfer direction for transporting the original passing through the reading position;

a curved reading path (Fig. 39) extending from the first transport means (23) to the second transport means (near 12 in Fig. 39);

a reading guide unit (Figs. 6 and 38) formed separately from the apparatus frame (210) and including as one unit (Fig. 38) a first guide member (i.e., guide member 118 on the left-hand side in Fig. 38) for guiding the original from the first transport means (23) to the reading position (Fig. 39); a second guide member (i.e., guide member 118 on the right-hand side in Fig. 38) for guiding the original passing through the reading position (Fig. 39) to the second transport means (near 12 in Fig. 39); and a transparent film member (28) formed of a flexible material (columns 23 and 24) for forming at least a part of the curved reading path between the first guide member (i.e., guide member 118 on the left-hand side in Fig. 38) and the second guide member (i.e., guide member 118 on the right-hand side in Fig. 38); and

support means formed on the apparatus frame (210) and the reading guide unit (Figs. 6 and 38) for detachably attaching the reading guide unit as one unit to the apparatus frame (210). More specifically, Fig. 1 shows that the frame (210) and reading guide unit (Figs. 6 and 38) can be attached together and Fig. 6 shows that the frame (210) is detachable from the reading guide unit (Figs. 6 and 38). As such, inherently there is support means formed on the frame (210) and the reading guide unit (Figs. 6 and 38) for detachably attaching the reading guide unit (Figs. 6 and 38) as one unit to the apparatus frame (210).

Regarding claim 2, Fig. 6 of Hoshi et al. and Yamauchi et al. show that the support means includes notched portions (i.e., one located above and to the left of

numeral 214 and one to the left of numeral 39 in Fig. 6) formed at the reading guide unit (Figs. 6 and 38), and the apparatus frame (210) includes pins (214, only one shown) for receiving the notched portions to rotationally hold the reading guide unit (Figs. 6 and 38). In particular, the element labeled "214" can be considered to be a pin that receives the notched portion. Moreover, the element labeled "214" is screwed (rotated) into the frame (210) to hold the reading guide unit. As such, it rotationally holds the reading guide unit (Fig. 6).

Regarding the dependent claim 4, Figs. 6 and 38 of Hoshi et al. and Yamauchi et al. show that the transparent film member (28) is arranged along a document guiding surface of the first guide member (i.e., guide member 118 on the left-hand side in Fig. 38).

Regarding claim 10, Figs. 1-3, 6 and 38-43 of both Hoshi et al. and Yamauchi et al. show a document reading apparatus for reading an original, comprising

a reading unit (2) including a platen (40) for placing the original, and reading means (Fig. 39) situated under the platen (40). Also, column 4, lines 30-42 of Hoshi et al. and column 4, lines 9-21 of Yamauchi et al. state that an image reading means can read documents fed to it by an original feeding apparatus 1, and also original documents can be read by the reading means when such original documents are placed directly on a platen (40) by a user. As such, in order for the reading means to properly read an original document when it is being fed (i.e., an original document is moved) to the reading means, the reading means inherently remains stationary. On the other hand, when an original document is placed on the platen (40) by a user (i.e., when

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the original document is not moved), inherently the reading means must move in order to read the entire document. Moreover, all of the elements of the automatic document feeder set forth in claim 1 are outlined above in the rejection of claim 1 according to the second interpretation of Hoshi et al. and Yamauchi et al. Thus, Hoshi et al. and Yamauchi et al. both meet all of the limitations of claim 10.

Regarding claim 12, Figs. 6, 38 and 39 show that the reading guide unit (Figs. 6 and 38) includes the first guide member (i.e., guide member 118 on the left-hand side of Fig. 38), the second guide member (i.e., guide member 118 on the right-hand side of Fig. 38), and the transparent film member (28) without including a discharge tray.

Allowable Subject Matter

3. Claims 3 and 6 are allowed. Claims 5 and 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (571) 272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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